

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOURNEY L. YAWS, on behalf of §
B.D.H. §
§
VS. § CIVIL ACTION NO. 4:15-CV-961-Y
§
NANCY A. BERRYHILL §

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

On February 23, 2017, the United States magistrate judge issued his proposed findings, conclusions, and recommendation in the above-styled and numbered cause. An order issued that same day gave all parties fourteen days thereafter to serve and file with the Court written objections to the proposed findings, conclusions, and recommendation of the magistrate judge. No written objections have been received from either party. *See Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1428-29 (5th Cir. 1996). As a result, in accordance with 28 U.S.C. § 636(b)(1), *de novo* review is not required. Nevertheless, the Court has reviewed the magistrate judge's findings, conclusions, and recommendation for plain error and has found none.

After review, the Court ADOPTS the findings and conclusions of the magistrate judge as the findings and conclusions of this Court. Accordingly, the decision of the Commissioner is REVERSED and the action REMANDED, pursuant to the fourth sentence of 42 U.S.C. § 405(g),¹ for further administrative proceedings for the reasons set

¹ The fourth sentence of 42 U.S.C. 405(g) states that the "court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Secretary, with or without remanding the cause for a rehearing." *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

forth in the magistrate judge's findings and conclusions.

SIGNED March 15, 2017.


TERRY R. MEANS
UNITED STATES DISTRICT JUDGE